

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ASIF A. SIAL, an individual,

Plaintiff,

Civil No. 08cv905 JM (CAB)

UNIFUND CCR PARTNERS; and DOES 1 through 10 inclusive,

Defendants.

**ORDER DENYING EX PARTE REQUEST
TO APPEAR TELEPHONICALLY**
[Doc. No. 19.]

On October 23, 2008, this Court ordered a Mandatory Settlement Conference to be held on February 20, 2009. The Order required the parties, or a party representative with full settlement authority, to appear personally. On February 4, 2009, Defendant filed an ex parte request for its party representative to appear telephonically. Defendant acknowledges it filed a similar motion in regards to the Early Neutral Evaluation, which the Court denied.

Unless there are extraordinary circumstances, persons required to attend the conference shall not be excused from personal attendance. As in the previous motion, Defendant claims “[i]t would place an extraordinary burden on Unifund, both in terms of time and expense, for Unifund’s representative to travel across the country to attend the conference in person.” [Doc. No. 19 at 3.] However, in and of itself, having to travel a long distance to appear in person is not extraordinary. Furthermore, while Defendant claims “[v]ery little has occurred in this case since [the ENE],” it fails to note its

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1 motion for judgment on the pleadings was denied in the intervening period. Accordingly, because
2 Defendant has failed to demonstrate extraordinary circumstances, the ex parte request is **DENIED**.

3 **IT IS SO ORDERED.**

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5 DATED: February 5, 2009

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7 **CATHY ANN BENCIVENGO**
8 United States Magistrate Judge

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